BEFORE THE

PUBLIC SERVICE COMMISSION OF WISCONSIN

- -

APPLICATION OF SOUTH SHORE ENERGY, LLC, and DAIRYLAND POWER COOPERATIVE FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY FOR THE NEMADJI TRAIL ENERGY CENTER COMBINED-CYCLE PROJECT, TO BE LOCATED IN THE CITY OF SUPERIOR, DOUGLAS COUNTY, WISCONSIN	Docket No. 9698-CE-100

CERTIFIED
ORIGINAL TRANSCRIPT

- -

EXAMINER MICHAEL NEWMARK, PRESIDING

TRANSCRIPT OF PROCEEDINGS

Tr. 28-135 PUBLIC HEARING SESSION

Reported By:

LYNN M. BAYER, RPR, RMR,
Halma Reporting Group
(414) 271-4466

Belgian Club
Superior, Wisconsin

October 28, 2019

6:00 p.m.

TRANSCRIPT OF PROCEEDINGS 6:00 P.M.

(Discussion off the record.)

EXAMINER NEWMARK: Let's get started. The first person we have is Todd Rothe. And we'll show you how this works.

TODD ROTHE, PUBLIC WITNESS, DULY SWORN

DIRECT TESTIMONIAL STATEMENT

BY MR. ROTHE: Todd Rothe spelled T-O-D-D, R-O-T-H-E. And thank you, Your Honor, and Commission for this opportunity to submit my remarks about the NTEC project. I am here to represent over 100 local employees that rely on construction projects to support their families. Our jobs are often termed temporary jobs; therefore, they try to negate the importance of these jobs. But the fact is we rely on and support projects such as NTEC to remain employed and to earn a decent living here in Superior, Wisconsin.

As we all know and it's obvious to everyone that we live in a modern civilization that depends on electricity, which we're not depending on right now.

(Laughter.)

MR. ROTHE: So we live in a modern civilization that depends on electricity for daily

life. Reliable electricity is an absolute necessity in our region to provide heat for our homes, farms and businesses. So without it people would die. So I am very thankful to utilities such as Minnesota Power and Dairyland Power that are so reliable that we often take them for granted. These utilities are also making tremendous progress by investing in renewable sources of electricity. This plant using very clean burning natural gas is required because renewables do not always provide that reliability that we must have.

Everyone would like to reduce our dependence on fossil fuels, and over time technology will continue to help us do that. However, such technology needs to be reliable and economically feasible as well. So progress still needs to be made. The answer is not to simply cut off the supply chain that opponents want to do. Opponents do not offer sensible or practical alternatives to the need. Yet, they support greater reliance on things such as electric vehicles, an obvious conflict. Where is that power going to come from on windless nights here in the dead of winter? Do they suggest we not charge our vehicles to get to work if faced with the choice of whether to heat their home?

However, we can also agree then that power won't be shut off if this plant is not built. However, I would argue that it will be supplied at a greater cost, both economically and environmentally. Consumers and businesses will pay more for their power which will be made elsewhere and likely made with more historically proven and reliable methods such as coal.

This scenario resembles the opposition to other major infrastructure projects here and across the nation. Opponents themselves rely on this electricity like each of us does to live in a modern society. We all want to plug in our cellphones when we go home tonight, correct? Yet they fight and sue and challenge against the safest, cheapest and most environmentally friendly solutions to have.

Please permit the Nemadji Trail Energy Center to be built. Thank you.

EXAMINER NEWMARK: Thank you, sir. Thanks for putting up with us. I think this might be working now.

(Witness excused.)

EXAMINER NEWMARK: Mike French.

MICHAEL FRENCH, PUBLIC WITNESS, DULY SWORN

DIRECT TESTIMONIAL STATEMENT

BY MR. FRENCH: Good evening. Thank you, Commissioners, for coming to Superior to listen to individual feedback on this Nemadji Trail Energy Center Project. My name is Michael French. I'm a civil engineer with the consulting firm LHB with offices in both Duluth and Superior. I provide engineering design and project management to many of the industrial customers in the greater Twin Ports region.

Speaking on behalf of LHB and for myself as a Minnesota Power customer, I fully support the NTEC project for the following reasons. Number one, the preferred site is the ideal location for such a project. It is in the heart of Superior's industrial corridor. There is access to natural gas through existing utility corridors. There is access to electrical transmission lines through existing corridors. The preferred site is currently undeveloped, meaning there is no adverse impact to existing landowners. It is a rare opportunity to undertake a project of this magnitude with a more suitable site.

Number two, the project is cooperative.

Neither Minnesota Power nor Dairyland Power could take on a project of this scale individually. But together the customers of both can benefit from economies of scale. Our electric grid is cooperative by its very nature. And this is never more true than when it comes to making use of renewable energy. Solar power from fields as far away as Illinois. Wind power from North Dakota. Hydro power from Manitoba. The energy-consuming customers of the Twin Ports all benefit from these renewable resources through cooperation in terms of operation and maintenance of our electrical grid.

Number three, and really this is the number one point, closely related to the point above is that this project is all about reliability. While Minnesota Power is absolutely committed to renewable energy, a decade ahead of Minnesota's own renewable standards, it is not a standalone reliable power supply source. There are certain times when elements simply do not work. It may be dark, the wind is not blowing, it's 30 degrees below zero; or there's a storm and a transmission line between here and Manitoba is down or under an outage condition. We still need the traffic lights to work, we still need our houses to be heated. We still need the

outlet that powers my grandpa's oxygen generator to work.

NTEC will further enable access to renewables by way of providing support for those times when alternate sources of electricity need to be developed and quickly deployed. If we demand electrical power, which we do, we also demand reliability.

In conclusion, this is the right project for the right site, it's cooperative in nature, benefitting all the regional power consumers, and it facilitates a continued energy forward shift toward employing more renewables. Thank you.

EXAMINER NEWMARK: Thank you, sir.

(Witness excused.)

EXAMINER NEWMARK: Ben Groeschl.

BEN GROESCHL, PUBLIC WITNESS, DULY SWORN

DIRECT TESTIMONIAL STATEMENT

BY MR. GROESCHL: I thank everybody for coming out tonight. It's a great show of democracy in this country. Everybody here's respectful, and I appreciate that.

I'm here today because I'm not against supplying good jobs, good paying jobs, I believe, and fair wages for all. I'm here to bring up counterpoints or alternatives that probably aren't being addressed based on the big dollar amount. But I feel at this time it's crucial that we counteract climate change.

Anybody here who ice fishes, which I'm sure is plenty of you, deer hunts, the ice on the lake is forming later and later. There's people falling through on their snowmobiles over and over again in early spring when they shouldn't. As a deer hunter, Wisconsin season, I'm out there in the sleet now with a rain parka on instead of a foot of snow. It's changing. Your grandpa didn't hunt in rain, he just didn't.

So a lot of you would get jobs, whether it was wind turbines that went up, solar panels. But today, what I want for the record is to look into

different alternatives. So -- and points of interest. So what's the backup power source for this plant? Accidents happen. Let's say a crew's out digging for something else, it could be a power cable. They hit the pipe, it has to be shut down. Takes a week to fix. What happens then? What's the backup power supply?

We're in the great white north here. We have a renewable resource, it's called trees. Now, trees do scrub CO2, but there's quality forest management. It will give loggers jobs. And per million Btu, right now for heat, natural gas is up there. It's pretty cost effective. Except for how much longer, five years? Guess what follows that? Wood. So all you got is wood heating paying that logger to deliver 10 cords, guess what, you're doing awesome, you really are. And the new wood stoves come out clean burning, very effective as well.

I want to bring up something that is very frowned upon, but there's new technologies. And all of you guys would help build this other plant. And it's called molten salt nuclear reactors. Okay? So instead of water, instead of millions of gallons of water being used to create steam for the turbines, this nuclear reactor stays cool without water. And

if all the safety mechanisms go bad, guess what, nothing happens. There's a nuclear reactor of this style that was built in Russia in 2016 that supposedly somehow can run off of the old nuclear waste. So all this that we're stockpiling under mountains can be reused.

So I just wanted to bring that to everybody here, you can hop on the internet and do some research. Just look into alternatives. And sometimes, you know, you gotta push the boundaries. You know, it might even cost more. But I really think that that's what we need to do in this critical time and for our children going forward. We gotta start turning things around.

So thank you for your time for being here. I appreciate you being here. Some of us didn't have the opportunity to talk to an Administrative Law Judge and offer opinions on other projects in the area. So I am very greatly appreciative of this opportunity. Thank you.

EXAMINER NEWMARK: Great. And we're happy to be here.

(Witness excused.)

EXAMINER NEWMARK: Elizabeth Evans.

ELIZABETH EVANS, PUBLIC WITNESS, DULY SWORN

DIRECT TESTIMONIAL STATEMENT

BY MS. EVANS: Hello, my name is Elizabeth Evans. And I am a senior at Superior High School. I live in Superior, Wisconsin, which is where the natural gas plant being proposed by Minnesota Power will be built. Though a natural gas plant may sound like a good thing because it is supposedly natural, that is not the case. The carbon emissions involved with a natural gas plant and the fracking process of retrieving the gas are still going to contribute to the ever-intensifying climate change and will continue to harm the environment.

Renewable energy sources are the only answer to reverse climate change and save the earth. On April 26th of last year, there was an explosion at Husky Energy in Superior. This explosion occurred while I was at school with all of my peers. We ended up having to evacuate our school and everyone was terrified, myself included. This day really opened up the eyes for many people by showing them the true dangers that exist alongside nonrenewable energy sources. People began to fear more for their future and truly realized the risks of oils and other nonrenewable resources after this

day. I wish the negative attitude toward nonrenewables would have continued to the extent that it did right after that incident because this still holds large problems.

The construction of a natural gas line in Superior would involve the burning of gas in my city; and when natural gas is burned, it releases harmful chemicals such as methane and carbon monoxide into the air. This causes air pollution which can lead to health problems due to long-term exposure to these certain chemicals. It is not fair to risk the health of the people in Superior in order to have increased access to energy that could be found just as easily using renewable energy sources such as wind and solar energy.

Giving Minnesota Power permission to establish this natural gas plant in Superior would be a terrible mistake that would have a variety of consequences which would all be detrimental to the health of our planet and its people. We are in the middle of a climate crisis and we cannot continue to build more fossil fuels. Instead of taking a step backwards by creating more natural gas plants, let's take a step forward and make a change, a clean change. It's time that we implement the use of

renewable energy sources to a greater extent because our future and the future of the earth all lies within the decisions we make right now. Thank you.

EXAMINER NEWMARK: Thank you very much.

(Witness excused.)

EXAMINER NEWMARK: Casey, it looks like Aronson, did I get that right?

MR. ARONSON: Yeah.

CASEY ARONSON, PUBLIC WITNESS, DULY SWORN

DIRECT TESTIMONIAL STATEMENT

BY MR. ARONSON: Good evening. My name is Casey Aronson. I reside in Spooner, Wisconsin. I am employed as a business representative for the Operating Engineers Local 139. Our labor organization is a statewide construction union that represents men and women that operate heavy equipment in various industries across the State of Wisconsin. We represent over 10,000 skilled operators and have agreements with over 2,400 contractors.

I also serve as the vice president of the Northern Wisconsin Building and Construction Trades Council. Our council is comprised of 17 skilled trade unions, and we represent hundreds of members located in northern Wisconsin, many of which reside right here in Superior. We join with business partners, contractors and regulators at the local, state and federal levels to collectively grow northern Wisconsin together.

The Northern Wisconsin Building Trades Council and the Operating Engineers Local 139 fully support the proposed NTEC project. The Nemadji Trail Energy Center will be the largest investment

in the history of Douglas County. Not only will this project support 260 construction workers and their families for the next four years, but it will also create new tax revenue for the City of Superior and Douglas County. The City of Superior and Douglas County are very fortunate to have energy leading partners with their facilities located right here in Superior. NTEC's proposed power plant would be a perfect fit in the mix. Our energy partners, Dairyland Power and Minnesota Power, have a long history of being very responsible and have proven to be a couple of the energy -- safest energy leaders throughout the midwest. They both value their employees, customers and contractors that build and maintain their facilities. We need partners like this in Superior, because they promote family support in wages, good health insurance and a good retirement, while providing a safe environment for employees of the work.

NTEC has committed to a project labor agreement to build this facility. They're making sure that everyone who works on this project will receive the area standard wages and benefits that the union set in this respected area. It also ensures that the highest skilled local craftsmen in

the area will be part of building this project.

On behalf of the Northern Wisconsin Building and Construction Trades Council and the Operating Engineers Local 139, we fully support the proposed NTEC project. Thank you for your time and listening to my recommendation on this proposed project.

EXAMINER NEWMARK: Thank you.

(Witness excused.)

EXAMINER NEWMARK: Pastor Bridget Jones.

PASTOR BRIDGET JONES, PUBLIC WITNESS, DULY SWORN

DIRECT TESTIMONIAL STATEMENT

BY PASTOR JONES: Hi. I'm Pastor Bridget Jones from Superior, Wisconsin; and I am so grateful for the chance to speak about this project. I'm here to ask the Wisconsin Public Service Commission to oppose the Nemadji Trail Energy Center so that ratepayers and citizens are not stuck with a stranded asset that is built with the past in mind instead of the future.

The seminary where I earned my degree is really struggling right now. It was built in the '60s in the style of brutalism, which means it is a very ugly building that is all exposed concrete and glass. It is also so expensive to heat and cool and illuminate. And many people are asking what on earth were they thinking when they built this? But it's not their fault. They were thinking that nuclear power was on the horizon and energy was going to be so cheap.

It just turns out that that didn't happen, and now we are stuck with a building that was built for a future that did not materialize. If they had known then the struggle we would have later, they would have planned differently. If they could have

seen the future, they would have made a different choice.

We right here, right now in Superior are in a much better position than my seminary was. We can already see how the future will be different. We already see how the cost of renewables continues to fall to the point that new renewable installations are already more cost effective than running some fossil fuel plants, and that the cost of battery storage falls as its efficacy grows. We can already see the effects of climate change, of stronger storms, higher sea levels and warmer temperatures. And we know that we will have to take decisive action. We don't know what that looks like, but we can bet that we will have solutions that will require us to burn significantly fewer fossil fuels. We can already see how consumers will become more aware of their impact on the earth and demand better. More than six million people participated in the climate strikes in September as people all around the world demanded action to fight climate change. We can already see how natural gas is neither clean nor safe and it is actively harming the environment when it is extracted from the earth. We can already measure how natural gas is harming

the environment when it is transported. So we already know that the Nemadji Trail Energy Center will be a bad idea. We already know that this project is an investment in the past when we need investment in the future.

Other utilities and regulators can see the writing on the wall. In April this year, regulators denied veterans' plans to build a gas plant in Indiana citing lower consumer demands and lower cost of renewables. Utilities across the United States are changing their integrative resource plans to take into account the increased role of renewables and storage and decreased energy demand.

I ask that the Wisconsin Public Service Commission would join these other regulators in opposing new fossil fuel projects and oppose an Nemadji Trail Energy Center, a stranded asset in the making. Thank you.

EXAMINER NEWMARK: Thank you, ma'am.

(Witness excused.)

EXAMINER NEWMARK: Derek Pederson.

DEREK PEDERSON, PUBLIC WITNESS, DULY SWORN

DIRECT TESTIMONIAL STATEMENT

BY MR. PEDERSON: Thank you, Your Honor. Good morning, my name is Derek Pederson, and I'm with the Labors Union Local 1081 and a customer of the utility of Minnesota Power. I am here tonight to support the Nemadji Trail Energy Center. Grid stabilization is something we as consumers take for granted. But this is something power companies have to work on every day to supply the reliable power we need in our lives. This plant would bring the stabilization we need to the area and the reliability I have grown to be accustomed to from my home supplier, Minnesota Power. To move forward in the quest for renewables, this plant is a must for the highs and lows of wind and solar energy. It will be the most technologically advanced, most efficient plant of its kind. NTEC will be 65 percent less carbon intensive and emit no mercury at all.

I'm going to leave with the question we should be asking ourselves. Would any company spend upwards of $700 million for something that is not a crucial part of the infrastructure we need moving forward to clean and reliable energy? Thank you.

EXAMINER NEWMARK: Thanks.

(Witness excused.)

EXAMINER NEWMARK: Okay. Kirk Ilenda. And then Kyle Bukovich and Taylor Pedersen and Tom Selinski.

KIRK ILENDA, PUBLIC WITNESS, DULY SWORN

DIRECT TESTIMONIAL STATEMENT

BY MR. ILENDA: My name is Kirk Ilenda. I live at 3913 North 21st Street in Superior, Wisconsin, where I have been a resident here for 30 years. Also, I work in Superior as director of business development for Lakehead Constructors, an area general contractor, and we've been here in Superior for 103 years.

I'm here today to testify and make comments in support of the Nemadji Trail Energy Center project, for two various reasons I came up with. One is support for the environment, and then second is for the economics and employment. Both Minnesota Power and Dairyland are good stewards of our environment and creating good, solid future electrical generation plans to include a lot of wind, solar and hydro. However, for their renewable energy plans to be effective, they need to also build a reliable flexible backup source of electricity for when the wind isn't blowing and the sun is not out on a day much like today.

Using natural gas as a fuel source is a solution for this. It provides reliable, cleaner alternatives to coal generation, 65 percent lower

carbon emissions and emits no mercury. Our region needs reliable 24/7 electricity to run our hospitals, our schools, places of business, the big industry like our refinery, pipelines and mills, and importantly our homes.

It's also about the economics and the employment. Here at Superior, I say why not us, this is an incredible opportunity for a large projects. We see it all over the region. Rarely does it happen in our own backyard. Folks, this is a $700 million opportunity, one of the largest private investments in Superior and in Douglas County. It will create 260 construction jobs for my friends in the construction industry. These are men and women, craftspeople that work hard and they need to make a good living wage. This allows them that opportunity. It's about the 25 permanent jobs created here in Superior. Also importantly, it's our opportunity for regional electrical independence here in northwestern Wisconsin. It's for our residents and all of our employers. Also, it's $1 million that will be annually paid to both the City of Superior and Douglas County.

So with both Minnesota Power and Dairyland developing this plant to move their renewable energy

plan forward, build a state-of-the-art plant that increases the reliability and the flexibility for the jobs, and economic benefits it provides in my hometown of Superior, I support approving the certificate of need for the Nemadji Trail Energy Center. Thank you.

EXAMINER NEWMARK: Thanks.

(Witness excused.)

EXAMINER NEWMARK: Kyle Bukovich.

KYLE BUKOVICH, PUBLIC WITNESS, DULY SWORN

DIRECT TESTIMONIAL STATEMENT

BY MR. BUKOVICH: Good evening. My name is Kyle Bukovich. I'm the president of the Northern Wisconsin Building and Construction Trades Council. I am also the assistant business manager and president of International Brotherhood of Electrical Workers Local 242 and a Douglas County resident for 32 years.

The Northern Wisconsin Building Trades and IBEW Local 242 fully supports the Nemadji Trail Energy Center. NTEC will create up to 260 family-sustaining construction jobs for three years. They will also create up to 25 full-time positions, as well as an additional 150 indirect jobs. NTEC will be the largest private investment in the history of Douglas County at $700 million and will invest $1 billion in the region over 20 years. Douglas County and the City of Superior will share $1 million in revenue annually for hosting the facility.

NTEC is crucial in reducing carbon emissions while supporting renewable resources by providing flexibility and maintaining reliability by running when the sun doesn't shine and the wind

blow. Minnesota Power has committed to utilizing the highest quality and safest workforce available. That workforce are the residents of the City of Superior, Douglas County and the surrounding communities.

Also, as a resident of Douglas County, I fully support the proposed Nemadji Trail Energy Center. Thank you.

EXAMINER NEWMARK: Thank you, sir.

(Witness excused.)

EXAMINER NEWMARK: Taylor Pedersen.

TAYLOR PEDERSEN, PUBLIC WITNESS, DULY SWORN

DIRECT TESTIMONIAL STATEMENT

BY MR. PEDERSEN: Thank you, Your Honor. Good evening. My name is Taylor Pedersen. I'm the president and CEO of the Superior-Douglas County Area Chamber of Commerce. On behalf of the Superior-Douglas County Area Chamber of Commerce, its board of directors and nearly 400 members, I'm here today in support of the Nemadji Trail Energy Center, NTEC, and to ask you for your support in the application process.

The design and construction of NTEC has the potential to be the most significant development in Superior and Douglas County history. The project would not only have a significant investment during construction, but the project would contribute approximately $1 million in much-needed annual revenue for the city and county in which it would be located.

Minnesota Power and Dairyland Power Cooperative are not only two outstanding companies, but they are good neighbors and they are organizations that care about those that they employ and those that they serve. Both organizations directly and indirectly support hundreds of

businesses and numerous community organizations each year. By supporting this project, the Public Service Commission of Wisconsin is supporting all of these businesses and citizens that rely on the impact of these companies each day.

Our Chamber of Commerce has been very impressed with the ongoing public outreach of this project to date, willingness to educate the public, and demonstration of transparency to local government, citizens and stakeholder groups. The region needs this project to continue and improve the positive impact these companies will have on our community. Further, this process would allow the construction of the facility that is 65 percent less carbon intensive than traditional generating facilities, which is a significantly better alternative. This will add additional jobs to our economy as well as increase power reliability through the grid stabilization.

We encourage the Public Service Commission of Wisconsin to support the NTEC project and application process. Thank you for your time and the opportunity to comment.

EXAMINER NEWMARK: Okay. Thank you, sir.

(Witness excused.)

EXAMINER NEWMARK: All right. Tom Selinski.

TOM SELINSKI, PUBLIC WITNESS, DULY SWORN

DIRECT TESTIMONIAL STATEMENT

BY MR. SELINSKI: Good afternoon. My name is Tom Selinski. I just found out about this at the last minute, but I decided to stop by. Just to give you my background, I live at 1730 Minnesota Avenue in Duluth. I spend a lot of my time working in Wisconsin. But I just want to let you know about my background. My background has been almost 40 years in the power industry. I have worked on every type of power plant that is really in existence. Coal, nuclear, gas, wood chips, wood waste, you name it. And so I have a fairly good -- or a passing knowledge of those industries. And one of the things is all those power plants have one thing in common, they are not intermittent power. Unless something majorly goes wrong with them, they do not -- they will rarely not be producing power.

If you look at Altamont Pass in California, you can drive through there on the wrong day and you see 1,700 windmills just standing still. Okay? What we're talking about tonight is that you cannot have that in the modern age. I think, you know, 80 years ago or whatever, people could all just stay home. You can't have intermittent power.

And so this type of power plant that they're proposing is a -- you know, is a good solution for where we're at today. We do not have a lot of alternatives. Batteries are really pie in the sky. Pump storage, that would be a better way to go, but there's only really one known pump storage plant that's for peaking power, and that's in Bare Mountain in Massachusetts; and I have friends of mine -- I was working out there -- that have worked on that.

So we don't have -- you know, we really need to have a system to back this up. You know, wind power, I'm not against any of this. What I'm saying is that if you're going to have those, you're going to have to have something that's dependable. And they just aren't that dependable. And so you have to have this system.

A coal-fired system like the ones proposed in Superior is a good stopgap that -- everything in life is a stopgap until the next invention comes along that is better than the last one. And so I definitely support this. Yeah, I think that's about it. But I think it's a very good idea. Because an example, a nuclear power plant, 2,700 turbine -- wind turbines it takes to generate the power of a

power plant. Or -- and gas-fired power plant or coal-fired power plant. 2,700. And so the scale of this thing is incredible that we're going into. And so we need this type of plant to give us dependable power in between when we have problems. Thank you.

EXAMINER NEWMARK: Thanks, sir.

(Witness excused.)

EXAMINER NEWMARK: Tom Lyden.

TOM LYDEN, PUBLIC WITNESS, DULY SWORN

DIRECT TESTIMONIAL STATEMENT

BY MR. LYDEN: Hi, my name is Tom Lyden. I'm with Hunt Electric in Duluth, Minnesota. Hunt Electric and Minnesota Power have been working together on projects for more than 25 years. From reducing emissions at the thermal generation facilities and modernizing hydro facilities to building renewable wind and solar farms in northern Minnesota. Throughout that time, Minnesota Power has proven to be a great corporate and civic-minded partner.

As you know, NTEC is a proposed 550 megawatt natural gas power plant at a shovel-ready industrial site in Superior. This would provide Superior and Douglas County with $1 million in annual revenue and 260 construction jobs as well as 25 permanent jobs.

The fact that Minnesota Power met the Minnesota state renewable energy standard of 25 percent renewable energy by 2025 in the year 2015, a full decade early, should not be a surprise. Minnesota Power plans to be 50 percent renewable by 2021, and NTEC supports these renewable resources by providing flexible and reliable power when the sun

is not shining or the wind is not blowing. When compared to traditional thermal generation facilities, NTEC will be quiet, it will be 65 percent less carbon intensive, while producing no mercury at all.

The fact that Minnesota Power and Dairyland Power Cooperative are partners in NTEC shows what good economic stewards both companies are as they can provide clean, reliable power to both northern Minnesota and northwestern Wisconsin while allowing the customers the benefit of the economies of scale.

We support approving the certificate of need for the Nemadji Trail Energy Center. Thank you for your time.

EXAMINER NEWMARK: All right. Thank you, sir.

(Witness excused.)

EXAMINER NEWMARK: We have Keith Allen.

KEITH ALLEN, PUBLIC WITNESS, DULY SWORN

DIRECT TESTIMONIAL STATEMENT

BY MR. ALLEN: My name is Keith Allen. I live in Itasca, about a mile from here. And it's about two miles from the power plant. I've been a resident of the City of Superior for 64 years, lived in Itasca since 1977, been elected to the Douglas County board since 1988, which represents Allouez and Itasca and part of South Superior. I'm on the development association since about 2014, which the development association supports this project.

First of all, I'd like to say I fully support this project. It needs to go forward to start the first phase of green energy, I believe. We all know the wind doesn't shine, the sun doesn't -- I got it backwards. We all know -- I guess it's my comedy time. The wind doesn't blow, the sun doesn't shine. That's why -- and we all need constant energy. It's like when you build a road. There are peaks and valleys, you have to build bridges and take the peaks down a little bit to have a constant line. We need to have that constant line with this green renewable energy because it's not consistent.

This location is perfect for the Superior

project. I would like to see it passed. I don't think it should be rubber stamped. That's why we're here tonight as part of the checks and balances of the system. Again, I just fully support the project, and thank you for your time.

EXAMINER NEWMARK: Thank you; sir.

(Witness excused.)

EXAMINER NEWMARK: Tom Galuzen.

TOM GALUZEN, PUBLIC WITNESS, DULY AFFIRMED

DIRECT TESTIMONIAL STATEMENT

BY MR. GALUZEN: Thank you, Hearing Examiner, for the correct pronunciation of my name. I don't know how that happened.

EXAMINER NEWMARK: Me either.

MR. GALUZEN: Okay. I'm here in opposition to this proposed project. I've lived in Bayfield, Wisconsin, northern Wisconsin resident all my life and I'm a farmer. I've been farming for more years than I want to even count. A market farm by Bayfield. And a lot of people from this area come to the farm, and we ship boxes of fruits and vegetables here to Superior and Duluth, and also there's a couple stores up here with some of our products.

My educational background is in typical science and environmental geography; and that was back in time, of course, at UW-Eau Claire. But while I was there, I got involved in the project -- opposing a project, that being the Tyrone Nuclear Power Plant that was proposed for Durand, close to Eau Claire, about 20 miles downstream. And after they perfected that, the Public Service Commission smartly refused to issue a certificate of -- is it

called convenience and need or convenience and necessity, and the plant was not built. And reports came out a few years later indicating that, as we had maintained, there was not a need for the project. And, actually, there was quite a savings to the ratepayers by not building that project. And maybe some of stock may have lost some money, but that's another story.

So here we sit many, many years later, our organization at that point analyzed things and thought that, well, what we need in this country is zero energy growth. And I think that has come to the forefront again. If you walk outside or spend a little bit of time outside or maybe even run to the car from the building, you'll notice the climate's changing and dramatically so. This has been a tough year for agriculture. I always kind of feel it's a tough year for agriculture being involved in it. But if you read the news reports on it and government statistics, there are millions of acres in the midwest that were not planted with corn and soybeans. Now, I'm not predisposed to corn and soybeans much myself, but it's an indication of something wrong with our climate and something could be drastically wrong with our food system in the

future in terms of supply of what we currently are using and growing.

This fall, reports show that in Wisconsin, farmers are somewhere between two and three weeks behind on the stage for corn and soybeans being harvested. And our own experience has been too much rain in the spring, too much drought in the middle of the summer, and too much rain, you know, in the fall. These are abnormal times. Five of the seven days in several of these weeks have been really unsuitable for farming activities, except for running from shed to shed or going outside and being drenched in the cold rain and going inside and warming up by the wood stove.

If you look at the news reports over time, and I don't have the thick file along with me that I have at home, no one would want to listen me to read or recount it all, but the United Nations panel on climate change, was it about a year ago now, said, well, maybe we got 10, maybe we got 12 years in which time things should significantly change around in terms of our releases of climate-altering emissions.

And so if we build this plant, by the time it's built, we'll be about halfway through that 10

to 12 years; and at that point, we should be removing, actually, that amount of demand from our system through alternative energy, through efficiency, through changes in our production processes. I mean, there's many, many options out there.

I have been off grid since 1982. Okay? And that's a long time. And right now I've got four freezers plugged in, and I'm on solar and wind. And I'll probably use a little Honda generator tonight. But I betcha 95 percent of my electricity comes from solar and wind. And that wind generator that was originally put in in 1983 was manufactured in Duluth by Rural Power Technologies, Duluth. The Twin Ports own brilliant scientist who went to MIT, one Elliott Bailey, if anybody who knew him. But over the years I've learned a lot about batteries and I've learned a lot about what seems to be from a non-climate change -- or an anti-climate change or a pro-Earth standpoint, but seems to be a response. I got myself in a tough situation because we grow a lot of crops that we freeze and then make jams with and sauces with that are sold later in the year. And, you know, I think about it daily, particularly when there's not enough sunshine when there usually is

and not enough wind when there usually is. And, you know, I'm always looking for ways in which I can improve my efficiency, alter my practices and reduce my demand. And I think that's a parable for society and a parable for all the institutions that are involved in society. And I hope that the Commission will consider those comments and other comments dealing with groundwater, et cetera, which you're going to hear in the sworn testimony and also tonight in the public testimony. Thanks for the opportunity to come.

EXAMINER NEWMARK: Appreciate it. Thank you.

MR. GALUZEN: And pronouncing my name correctly.

EXAMINER NEWMARK: Okay. Well, I'm not going to attempt it again because I guess I did it right the first time.

(Witness excused.)

EXAMINER NEWMARK: Jacob Meador.

JACOB MEADOR, PUBLIC WITNESS, DULY SWORN

DIRECT TESTIMONIAL STATEMENT

BY MR. MEADOR: Hello, my name's Jake Meador; and, I'm sorry, I have nothing scripted tonight. But I just wanted to give you just kind of my side of the story on this. Quick background, I was raised in Superior, I went to school here, I graduated here. I went in the military afterwards right after high school. And I came back because I wanted a family. And I came back and the work wasn't here. So I had to displace my family several times, follow jobs, travel, travel, travel. And it was no fun life for my kids.

Then due to unplanned circumstances, I became a single father of three, with full custody of all three. I came back and I joined a skilled trade. I joined the carpenters union. And since that day, they have kept me in work here in my community; and my children have been in the same school for the last several years. And I cannot stress to you how important it is to be proud to have a livable wage to be able to raise a nice young family in the community that I grew up in.

I need this job, and I know there's hundreds, if not thousands of other brothers and

sisters in the skilled trade in this community, in the greater Twin Ports region, that need this project to go forward. This community needs this project to go forward to build a better life for all of our families. Thank you.

EXAMINER NEWMARK: All right. Thank you, sir.

(Witness excused.)

EXAMINER NEWMARK: Amy Wilson.

AMY WILSON, PUBLIC WITNESS, DULY SWORN

DIRECT TESTIMONIAL STATEMENT

BY MS. WILSON: Hello. My name is Amy Wilson, and I'm from Orienta in northern Wisconsin. I've put my speech into three places: problems, solution and choice. The problem. The hour is late. We know beyond a shadow of a doubts that we have loaded our climate with greenhouse gases from the burning of fossil fuels, causing increased storms, floods, droughts, forest fires, instability, pain, suffering, and the loss of life to more than just the human population. Climate chaos is affecting plants, animals and all life forms. Climate chaos is accelerating the sixth mass extinction.

Our solution. The solution to this problem is right here and accessible right now. Currently, wind and solar -- wind storage is cheaper than any fossil fuel options, including the natural gas plant proposed here. By investing in renewable energy with storage, we will have energy that costs less than this natural gas plant. We will not have stranded assets that our society will be burdened with. We will be making steps towards our goal of backing off of the burning of fossil fuels set by

the inter-governmental panel on climate change and advanced by the -- and the events of the climate scientists.

We will be protecting our precious water and air, reducing health concerns such as asthma, strokes, and heart and lung problems. We will be creating more good jobs and a future that our young people can rely on. Currently, solar and wind with the storage makes more jobs than pipelines and power plants. We can give jobs to everybody. I used to be a solar installer, and I don't -- I no longer do that. So, seriously, there are more jobs with solar and wind.

The choice. The choice is between an antique failed energy system that is destroying the future and today's healthy, progressive solar and wind energy systems that do not threaten our water, air and future.

Dear Public Service Commission people, please do not choose to approve the Nemadji Trail Energy Center. Please join us and the growing movement to make our world safer today and for future generations. Be a part of the solution to move beyond fossil fuels.

I've lived for 30 years off of the grid,

and I helped design and build a solar greenhouse that heats itself year-round in northern Wisconsin. I have been part of a company that my partner and I started, and I have seen solar grow up from infancy, through all the trials and tribulations, to it being a successful industry. And solar and wind with the backup of energy size storage is the answer. And it makes more jobs and it gives our children a future. And it makes it so that we are -- have a healthier environment. And it doesn't use that copious amount of water that even the DNR is concerned about this plant taking.

So thank you very much. Thank you for the Commission, and here's my testimony.

EXAMINER NEWMARK: Okay. Great. Thank you, ma'am.

(Witness excused.)

EXAMINER NEWMARK: Chris LaForge.

CHRIS LAFORGE, PUBLIC WITNESS, DULY SWORN

DIRECT TESTIMONIAL STATEMENT

BY MR. LAFORGE: Thank you for this opportunity to provide testimony on the proposed Nemadji Trail Energy Center. My name is Christopher LaForge. I am a master trainer certified by the Interstate Renewable Energy Council in the area of photovoltaic technologies. Put simply, solar power. And I've run Great Northern Solar for the last 30 years and we've worked to improve the energy paradigm each of those years.

I'm a native of Duluth. I've lived in this region almost my entire life. I live on the south shore of the Lake Superior watershed. And I'm very happy to see all my brothers and sisters from the unions out today. Thank you for your honest testimony.

I am a retired member of IBEW 242. I got a smile for that. I've trained union electricians in the area of solar energy, and I prefer to train union electricians.

I am not testifying in favor of this plant. My job in the last 25 years has been to teach the alternative. Lately, I've been hired to train utility engineers, contractors and

administrators in the latest current technology. This is not the future. This is the present. Large-scale energy storage, utility-scale energy storage coupled with wind and solar generation is now the lowest cost form of generation. So although I am here because my heart is with those people who might have their native lands disturbed by a plant that is evidently in an unoccupied zone, it has been occupied and it continues to be occupied.

Full disclosure. I am a shareholder of Minnesota Power through the elite parent corporation. And although I know my utility is doing some progressive things, I also know that utilities are very slow to adapt. That's why tonight I'm going to talk about stranded resources leading to stranded assets. This is a present concern.

The portfolio of fossil fuel resources represents a $121 trillion set of stranded resources. Putting the required halt to their use to stave off greater climate catastrophe represents an economic challenge that the International Monetary Fund and the World Bank are currently stymied with. Even without climate concern, investment in any new fossil fuel asset is dubious

at best. Renewable energy resources combined with large-scale energy storage is currently the lower cost alternative. I'm going to cite some other stats.

Forbes Magazine, a business magazine, quote, The cost of renewable energy has tumbled even further over the past year --

EXAMINER NEWMARK: Slow down.

MR. LAFORGE: If I don't talk fast, these people are going to get tired of me. It's going to be turned in in written format, so you don't have to get it that way.

EXAMINER NEWMARK: Off the record.

(Discussion off the record.)

MR. LAFORGE: So Forbes Magazine states, quote, the cost of renewable energy -- and this is May 2019. The cost of renewable energy has tumbled even further over the past year to the point where almost every source of green energy can now compete with the cost of oil-, coal- and gas-fired plants.

As a shareholder, I raised this issue with my utility, Minnesota Power, at the annual shareholders meeting this year. My CEO and board of directors are ignoring the facts of today's real energy market costs. Solar plus storage offers the

lowest cost. From a recent report published in Wood Mackenzie Power & Renewables, low cost nuclear, low cost nuclear comes in at $102 per megawatt-hour; low cost coal, $56 per megawatt-hour; low cost combined cycle gas turbines, that's this plant, low cost $34 a megawatt-hour. Low cost solar plus storage is less than $27 a megawatt-hour, and that data is from June of 2018. It is lower today.

The rise of electromobility and demand for stationary storage will drive the lithium-ion battery costs down another 50 percent by 2040. That's according to Bloomberg's New Energy Finance's latest report on the outlook for solar plus storage. The costs for the technology have already tumbled 85 percent from 2010 to 2018. Business intelligence firms predict that somewhere between one and 2.8 terawatt-hours of storage is going to be installed in the next 21-year time.

I'm going to hand this testimony in, it shows more purchase agreements, power purchase agreements, that show that $27 a megawatt-hour is a little bit high. It's actually gone under $20 per megawatt-hour.

Okay. Recent news that we can read shows the urgency that this issue presents. From a

utility insider magazine that's online called Utility Dive, you can look it up, Catherine Morehouse wrote in September of 2019: Renewables, storage poised to undercut natural gas prices and increase stranded assets. If all the proposed gas plants get built, 70 percent of those investments will be rendered uneconomic by no later than 2035. The Rocky Mountain Institute, which has done some of the cutting edge research on all of our technologies, says carbon free resources are now cost competitive with new natural gas plants. In fact, solar and storage installed now costs less than operating an existing natural gas plant.

I've been telling my conservative friends for decades let's look at it, the fuel is free. Methane, the natural gas we produce with fracking technologies, destroys four million gallons of potable water with each fracked well. That's an unseen cost. That's an externality. Methane that escapes in the fracking technology has proven to create more greenhouse gases when totaled with the burning of it than coal-fired power plants. Natural gas is not clean. Wind, solar and storage projects combined with this demand-side management, what my friend Tom was talking about, working with the loads

at a utility scale, have reached a tipping point, meaning that they're now able to compete and out-compete natural gas with the same reliability of service. But unlike fluctuating price fuels, these technologies prices are going to drop.

The reality is that we will leave many natural gas investors and utilities with stranded infrastructure assets, and we must make any investments in fossil fuels with a great deal of caution.

A second story is pertinent, especially to our Public Service Commission. From the same utility rag, Utility Dive, October 1st, 2019, quote: Minnesota -- and that's -- Minnesota rejects Xcel's 720 megawatt Mankato gas plant purchase over stranded asset concerns.

So the Minnesota equivalent of the PSC denied Xcel their opportunity to buy into an existing plant, which would cost less than building a new one, because of the concerns that it would have to close early leaving customers, ratepayers, with hundreds of millions of dollars in stranded costs. That was October 1st.

As utilities transition to a less carbon intensive grid, many see natural gas investments as

a logical transition from increasingly expensive coal-fired power. But some stakeholders are now worried that coal-to-gas transition will leave utilities and investors with stranded assets as our renewable and storage prices drop to record low. Clearly -- now, that's all the quote from that article. Now this is me. Clearly, today's real energy market portends that any investment in new fossil fuel assets will be doomed to be stranded and creating a huge loss for the investors, the public, the ratepayers and our future.

This $700 million spending plan is currently a boondoggle of tremendous proportions without any concern for the climate, local water resources, tribal community rights, the known hazards of fracking technology, and any hope for our collective future. You don't have to worry about any of that. This is a bad investment just on the economics.

We need to create good local jobs by spending the $700 million on rapid deployment of solar, wind and large-scale energy storage region-wide. I can testify that that is what the people I'm teaching in Malaysia are doing; that's what the people in Singapore, that's what they're

doing; that's what the people in Thailand and China. Asians are very competitive, as we well know, and their countries are little bit ahead of ours. But we can catch up.

Economics alone demand that we recognize this reality and invest soundly in the technologies of today, not the antiques of yesteryear. Thank you so much.

EXAMINER NEWMARK: Thank you, sir.

(Witness excused.)

EXAMINER NEWMARK: Izzy Laderman.

IZZY LADERMAN, PUBLIC WITNESS, DULY SWORN

DIRECT TESTIMONIAL STATEMENT

BY MS. LADERMAN: Hi. Thank you for holding this public hearing. My name is Izzy Laderman. I am 16 years old. I am here representing Friends of the Climate, a group of five young women who submitted a brief to the Minnesota Court of Appeals against this plant. But also because I live in this area and this is my future.

We submitted the brief opposing the plant on the basis of our finances, as it's going to cost $700 million to taxpayers, and our futures. The climate crisis is here. And the fact that Wisconsin decided not to consider it is wrong. This is my future, my generation's future at stake; and they have decided that it's not worth it to consider.

United Nations told us we only have ten years before the climate crisis is irreversible. Fossil fuels are the main contributor to the climate crisis, and they want to add more? Perhaps it's because the thought -- perhaps that is because natural gas is seen as natural. But it's anything but. Fracking ruins habitats and can cause earthquakes, the transportation uses energy to get energy, and the burning heats up the world. And

during all of this, 2.3 percent of the gas is released, which is the equivalent of 70 million annual tailpipe emissions. Coal releases 3 percent, meaning 0.7 percent is what makes gas so much better.

But better is not good enough. In order to try and prevent the climate crisis from furthering, we need to move to 100 percent renewables. Renewables are cheaper and more efficient. Minnesota Power says the plant is for when the sun doesn't shine and when the wind doesn't blow. But renewables coupled with batteries work just, if not more, efficiently. This plant is not needed for grid reliability. And through the process of fracking, transporting and burning, you use so much energy that's costing companies a lot of money. With renewable energy, you don't have that. So not only do you not have pollution and gas emitted, it's cheaper for the companies making the energy.

This is why the gas plant makes no sense to me except that these companies are stuck in a toxic tradition of fossil fuels. This issue may seem small as it's just one gas plant. But preventing this gas plant is huge because local

action adds up to global action.

So please help save the world, help save my future. Say no to this fossil fuel and this gas plant and demand renewables. Thank you.

EXAMINER NEWMARK: Thank you.

(Witness excused.)

EXAMINER NEWMARK: Craig Fellman.

CRAIG FELLMAN, PUBLIC WITNESS, DULY SWORN

DIRECT TESTIMONIAL STATEMENT

BY MR. FELLMAN: My name is Craig Fellman. I'm here this evening to share my comments in full support of the NTEC project. I think this project between Minnesota Power and Dairyland Power is absolutely critical to our region. I'm the president of JAMAR Company. We're a local specialty contractor that has multiple offices in Minnesota and in Wisconsin. Whenever we talk about one of these infrastructure projects, I will always go on record of stating how important it is to a company like mine, the employees of our company, the families associated with our company, all of the tradesmen in our region who make their living through these infrastructure projects.

But I'm going to take a different direction with my comments today because the professionals, the carpenters laid out the point of how important these jobs are to our region in his comments earlier. So I'd like to talk a little bit more about infrastructure and demand.

Infrastructure in our region is a problem. It's weak, it's aging. The power generation capacity is another example of that aging

infrastructure. And over the last several years, the two companies that I previously mentioned, they are the ones who have put in the time and the investment planning for the power delivery of the future for our region. They've done the most to clean up coal-fired power plants, shut down coal-fired power plants, and move us into the future with diverse and renewable power generation.

Some of this was done because it was mandated, some of it was driven by their organizational goals. Some of it was done just because it's the right thing to do for our region. And that's the type of companies Dairyland Power and Minnesota Power are. They have spent hundreds of millions of dollars on emission controls for the older fleet, improving hydro, and then moving us into the new wind and solar. But now is the time for us to build a clean running gas-fired power plant in our region.

When you look back at those same years, around here anyhow, Minnesota Power was in the leadership role in driving improved energy efficiency in our homes, in our workplaces, in the plants. Nobody else took the leadership role like they did. And if you're familiar with their Energy

Forward plan, this is the multi-front attack that they're leading. Helping everyone improve energy efficiency while retiring coal plants or vastly improving the emissions of the coal plants, increasing renewables, moving it to the target that they're on track for, 50 percent by 2021, diversifying the load, all while ensuring safe and reliable electricity for everyone. NTEC is part of this plan. Efficiency, 50 percent better emissions than coal, one of these enhanced coal-fired plants.

So while energy users are getting more efficient and Minnesota Power was the leader in helping them do all this, the demand isn't going away. It's just changing. Just consider data storage right now. The power demand of storing data in the country was like a blip on the screen 20 to 25 years ago. Today across the country, across the U.S., the demand for data storage is approximately 40 times of what the Nemadji project is designed to produce. Data storage demands and chews up the production of almost 40 500-megawatt-hour plants. So think about that the next time you post one of those videos that go on Facebook. That is increasing the demand. It's not ending.

While we're more efficient, the demand

will still be there. So I'd like to see this modern power plant built right here with 50 percent carbon emissions, 260 construction jobs, largest investment in Douglas County's history. That's the modernized plant that I'd like to see built right here.

So my main point is that power demand is not going away. The power demand in our region is not going to all of a sudden cut in half between today and a year from now. Each household and each business requires safe and reliable power delivery, and nobody is going to accept anything else. NTEC will be a clean, safe, reliable part of the overall diversified power delivery plant for our region. Thanks.

EXAMINER NEWMARK: Thank you, sir.

(Witness excused.)

EXAMINER NEWMARK: Looks like it's Brent Fennessey.

BRENT FENNESSEY, PUBLIC WITNESS, DULY SWORN

EXAMINER NEWMARK: Can you just spell your name for us. It's hard to read.

DIRECT TESTIMONIAL STATEMENT

BY MR. FENNESSEY: It's spelled F-E-N-N-E-S-S-E-Y. Good evening. My name is Brent Fennessey, president of the Superior City Council. We've already heard some compelling points about this project, why it should be improved, why it should move forward. And I'm sure there's still more to come. I'll let others speak on those points and in greater specificity. But tonight I bring a broad level of support. I bring not only my own support, but also the support of the entire city council.

On the October 15th city council meeting, the Superior City Council had a resolution of support for the Nemadji Trail Energy Center. Out of our ten-person body, every councilor voted in favor of this resolution. There are many reasons embedded in that resolution that led to the unanimous support. The council unanimously supported this resolution specifically because the Nemadji Trail Energy Center will provide the needed power when renewable energy is not readily available, will

produce less carbon emissions compared to the current traditional fuel sources, will create 260 family sustaining jobs during peak construction, will create 25 direct jobs once fully operational. The $1 billion investment will be the largest private venture not only in the City of Superior, but the entire Douglas County. And, finally, the City of Superior and Douglas County will share over $1 million annually in increased revenue and fees for hosting the facility.

This bill checks all of the boxes of being a valuable project, not only to Superior, but the impact reaches well beyond our city limits. I fully support the efforts of Minnesota Power and Dairyland Electric as they seek to move forward with the build of the Nemadji Trail Energy Center. I support this as a Superior citizen, the Superior City Council president, and your entire Superior Common Council supports this project. It's projects like this that build the future for Superior. So I ask that the Public Service Commission of Wisconsin approve this project.

EXAMINER NEWMARK: All right. Thank you, sir.

(Witness excused.)

EXAMINER NEWMARK: Kathryn Hilton.

KATHRYN HILTON, PUBLIC WITNESS, DULY SWORN

DIRECT TESTIMONIAL STATEMENT

BY MS. HILTON: Hello. My name is Kathryn Hilton. It won't take many of you all to pick up the southern drawl I have. I have been a resident of Superior, Wisconsin, for just under a year now. Before that, I spent five years living in North Dakota, three years in southwest Pennsylvania; and where I originally hail from is South Carolina.

In my time in North Dakota and in Pennsylvania, I had both the privilege and misfortune of living in the shale fields in those areas. In Pennsylvania they extract for gas. In North Dakota they flare the gas and extract for oil. These are not clean processes. So when we say clean burning natural gas, that is rhetoric that companies give to you to blind you to the reality. I have many friends who are sick, who have children who are sick, who live in these extraction zones; and that is the type of pollution that we will continue to bring to our area if we allow this project to go forward.

There's always this talk of jobs, and I heard the outstanding number of 25 permanent jobs. Well -- and then there's also the fact that

renewables aren't here yet. Well, if we would build renewables here instead, then we could put those 25 jobs in that sector plus all the construction jobs to make that infrastructure work. So to rely on this project that is not yet approved to sway us to think it's the only solution is a mistake. And I know there was an event here where the Superior refinery, there was an incident. These happen all of the time. It will not be excluded from the possibility of happening with this plant if it is constructed. Human error and mechanical failure are inevitables, period. Every day, every single day people are put in harm's way, workers, residents, children, elderly. There's no escape from it if we continue to go down the road with fossil fuels. That's my comment.

EXAMINER NEWMARK: All right. Thank you, ma'am.

(Witness excused.)

EXAMINER NEWMARK: Dan Olson.

DAN OLSON, PUBLIC WITNESS, DULY SWORN

DIRECT TESTIMONIAL STATEMENT

BY MR. OLSON: My name is Dan Olson. I'm a lifelong resident of Superior, south Superior. I live about a mile and a half from where this proposed project is looking to be built. In that area there's also Husky Refinery, Enbridge Energy.

And I just want to bring up a few points that the importance of these projects is important to every single one in this room. The thoughts and the process that everybody brings forward, their suggestions as to either support or not support are as important, every single one of them is equal across the board in importance.

I think what also is important is that renewables are something that should be a goal that we all are looking for. I can tell you that across the United States right now, the energy sector is one that's been used for 30 to 40 years, sometimes longer. The east coast has relied on nuclear for many, many years. The belt in the middle of the United States, what you see over in Duluth right now, all the wind turbines, they're going to South Dakota because that's where the wind vane is. And west coast California, Oregon, Washington, primarily

solar.

So we are not going to get away from fossil fuels in the immediate future. I think the goal is to make everything as best that we can, strive for everything that we can, make this project or any other project that anybody is trying to support the safest with the most skilled people in this community and the surrounding areas. I think that Mr. Fennessey, our president of the city council, brought a real good point up that it's hard to get -- I'm on the city council -- it is hard to get ten of us to agree on anything, let alone the hundred people that are in this room. I realize that. But the support that we have, the support in the community, I've lived on the south end all my life; and moving forward with renewable energy is nothing more today than a start. And we have great partners that we all rely on, whether it's Minnesota Power, Superior Water and Light, Dairyland Power, the regulatory people, the Administrative Law Judge who this is going to be in their hands to decide what we are looking at here, what we're supporting or not supporting, those are very important things. And we need to rely on the people that are the experts in that field. So if there's a watershed

issue, it needs to be addressed. If there is a fossil fuel issue, it needs to be addressed. Just like any other projects that we bring forward. Whether it's at the city council level, whether it's at Douglas County, whether it's the State of Wisconsin, whether it's my brothers and sisters in the audience today from the building and trades.

We are nothing more than a conduit, the before the building and tradespeople, to assure this project is built proper. That is why we support a project labor agreement. We also supported a project labor agreement at the Douglas County level, Keith, for the same project. So there's support in numbers, there's support in research. But moving forward, this is a project that will give us power on demand. Because everyone in this room needs power when they demand it. Example, how many people got a cellphone in their pocket, right? You all powered it up on demand because you wanted to use it tonight. Okay?

I support this project 100 percent. And if there's anything that anybody in this community can do, we're here to answer any questions or be a part of this project. Thank you.

EXAMINER NEWMARK: All right. Thank you,

sir.

(Witness excused.)

EXAMINER NEWMARK: Okay. Brian Hanson.

BRIAN HANSON, PUBLIC WITNESS, DULY SWORN

DIRECT TESTIMONIAL STATEMENT

BY MR. HANSON: All right. Good evening. My name is Brian Hanson. I've lived in the Twin Ports for the last 30 years. I'll slow down, sorry. I'm proud to serve over 90 employers and tens of thousands of working men and women in this region as the CEO of APEX, a private sector led business and economic development organization. I'm here today to urge you to rule in favor of the partner's petition for a certificate of public convenience and necessity for the NTEC power plant. And I'll tell you a little bit about why.

So I work every day trying to drive investment in this region. With the project price tag of $700 million and an estimated annual tax bill of $1 million in this region, this project certainly drives investment. But it also does so much more by adding reliability and balance to our regional power supply grid.

In my position at APEX, I work supporting both existing companies and new companies to help them grow. Energy reliability is a key issue. Regional employers cannot grow unless we can demonstrate that we have a reliable energy mix.

This is especially important for our region's growing tech sector.

Now, let's turn to the weather for a second and just think of the turmoil we all experience when severe weather strikes our system. I can't imagine setting up our region for this potential every day simply because we turn our backs on a balanced, reliable energy supply provided by projects like NTEC. Consumers and businesses alike demand it, and they should. We need reliability and we need NTEC.

Sustainable energy sourcing is also very important in our community. The NTEC will meet multiple goals in this area, adding natural gas fueling to a very small existing gas portfolio here, reducing carbon intensity while providing an instant backup. This project supports the ever-expanding fleet of wind and solar being added for days you-know-what. Sorry. So this state-of-the-art technology to be used in this modern facility is dispatchable. That means it can be both brought online quickly and also slowed down and stopped quickly, supporting maximized use of renewables.

Some would say energy use is declining, that demographics don't -- the demographics don't

support growth here and we don't need this plant. I wholeheartedly disagree. Our region has the potential to grow. And we're on the right track. We have the people, the natural resources and the entrepreneurial spirit. We need reasonably priced, highly reliable energy infrastructure to support growth. We need NTEC.

Finally the folks we turn to for 24/7 reliability that we all pretty much enjoy here where we live tell us -- are telling us that they need this project. They're the ones who have the daunting job of dealing with weather, power demand spikes, growing demand and balancing an interconnected supply throughout this entire upper midwest, not just the one home where batteries can maybe help, but the entire upper midwest. They know that we need this project. Their need is our need. We need NTEC.

I hope we choose to work together to support clean and reliable energy generation for the great states of Minnesota and Wisconsin by supporting this certificate of public convenience and necessity. Thank you.

EXAMINER NEWMARK: Okay. Thanks, sir.

(Witness excused.)

EXAMINER NEWMARK: I have two more slips for people who want to speak. Max Carl and Mr. Robert Owen, Junior. So anyone else who wants to speak, get a form filled out, check yes in the box where it says speak now, and bring it to Commission staff. They'll get it to me. So we'll be able to take these last two and then we'll break for a little, see if people want to regroup and decide they want to speak, feel free to do that. But at this point I'll call Max Carl.

MAX CARL, PUBLIC WITNESS, DULY SWORN

DIRECT TESTIMONIAL STATEMENT

BY MR. CARL: Thank you for letting me speak here tonight on this very critical issue. This was a great idea back in 1985, back in 1975. It's too late now. Far too late. We have too much carbon in the atmosphere right now. And even -- no matter how efficient you are, you're certainly loading more carbon into that atmosphere by burning fossil fuels.

We live next to this big lake that we all love. That lake is the fastest warming lake in the world. It is -- the average temperature of that lake has increased four degrees. Most of the carbon loading in the oceans and most of the heat stored in the water of the oceans and Lake Superior has occurred in the last 25 years.

Efficiency is not going to save us. Not burning fossil fuels is a start. Now, we all remember the big rainfall here in Duluth back in 2012, 12 or 13 inches of rain. We remember the damage from that, the chaos from that. We remember the big rain we had over in Saxon Harbor that was in 2016. That completely washed the entire marina out into Lake Superior. We remember the flood of 2018

that tore out the Radigan Dam and flooded the roads so that a lot of people that left for a couple days, they couldn't get back to Duluth. This is because there's so much water in the atmosphere because the atmosphere is warming up, warms up the water, the water comes off the equator and it pushes up this far.

We're not in as bad of shape as California. California is burning again. People are fleeing for their lives. They've got -- it's like a crown fire out there, there's so much wind associated with the heat from these fires, people can't away from them lots of times. The same thing happened in Australia. By the time the people heard the sound of the fire, it was too late. There was no way they could get away. The fire advanced at, like, 60 miles an hour.

We're lucky up here because we're just going to get lots and lots of rain. It's going to cripple our townships, it already has. We don't have the money in our townships to fix our roads. Who's going to pay for that? The taxpayer is going to pay for that, you know.

So that's the situation we're in. And I -- it's not something people like to talk about.

They don't want to hear about it. They're in denial about carbon in the atmosphere. But we're all going to suffer. And friends of mine who were in Florida after Hurricane Maria, and they were right on the coast, they only had a two-foot surge there from the ocean, from the Gulf of Mexico. But they had three 30-inch rains there in that year, and there was so much water coming off the state that the ocean side of the cities on the west coast of Florida had a couple feet of water, but six miles inland they had 12 feet of water because the rain's gotta go somewhere. That's a lot of rain. Houston was 54 inches of rain they got. Now, we're dealing with 12 and 13 inches. How is it going to be when it's 18 inches at a time, 18 inches over four or five hours? It's just a question I put before you, and I thank you for the time to say this and the audience, and thanks for listening.

EXAMINER NEWMARK: All right. Thank you, sir. Okay.

(Witness excused.)

EXAMINER NEWMARK: The last form I have is from Mr. Owen. We can go off the record.

(Discussion off the record.)

EXAMINER NEWMARK: Let's get back on the

record for Mr. Owen.

ROBERT OWEN, JR., PUBLIC WITNESS, DULY SWORN

DIRECT TESTIMONIAL STATEMENT

BY MR. OWEN: Good evening. My name is Robert Owen, Junior. I'm a resident of Middleton, Wisconsin, I own property in rural Bayfield County, and I'm a grid-tied solar owner and member of Bayfield Electric Cooperative. I am -- as I tried to say, but too quiet, I am a solar owner and member of Bayfield Electric Cooperative in Bayfield County. I'm testifying today in favor of constructing and operating the Nemadji Trail Energy Center as a 100 percent renewable energy fuel peaking facility. So I'm differing with the applicants here on the choice of fuel for this facility, but not the desirability of having such a facility.

I think we can do it with renewable energy and we can solve both problems that people are talking about tonight. One being greenhouse gases, the other being reliable electricity when the wind and solar inputs to our electric system fluctuate so much and, of course, our loads fluctuate as well.

But I am definitely here to join with those previous witnesses who have said that we urgently need to stop burning fossil fuels. This is a really serious business, folks. It could destroy

our climate for our descendants. It could destroy it for ourselves. We're already seeing the beginnings of very serious climate destruction. And I think there's a lot of awareness amongst the people here in this room of this. We've seen it in the form of heavy rain events mostly. But some of us who have been to the west coast may have seen other manifestations of it. Unfortunately, apparently neither Minnesota Power nor Dairyland Power Cooperative read the climate change memo; and everybody received it, but some chose not to read it. And they are accountable for failing to heed that memo. And the Wisconsin Public Service Commission is also accountable for its own failure to heed climate science.

On the legal front in this case, the PSC has erred in its preliminary determinations in this case that it lacks authority to consider greenhouse gas emissions associated with NTEC by virtue of Section 196.491(3)(d)(3) and (4) of Wisconsin Statutes, and that NTEC is a wholesale merchant facility under Section 196.491(1)(w)(1) Wisconsin Statutes. As a result of these errors, the PSC has inappropriately limited the scope of the hearing.

The PSC has limited consideration of

greenhouse gas emissions at the proposed power plant. That's a big mistake. Both CO2 and methane emissions contribute to global climate chaos. But CO2 emissions do something else that we should consider closely in the case of this facility. They also acidify Lake Superior. And everybody in this room is concerned about Lake Superior. It's a global treasure, it's a particular treasure for this region. It's also a poorly buffered lake with a relatively small drainage area beyond the surface of the lake itself and, therefore, it is highly vulnerable to acidification. And what happens when you emit CO2 to the atmosphere in Superior and the wind is blowing from the southwest? It blows out over the lake and that CO2 interacts with the cold water of the lake and it forms carbonic acid which acidifies the lake. That's a global problem, but it's particularly a problem here. It's a problem that needs to be studied and it's a problem that the PSC is permitted to look at under Wisconsin law because it's a water pollution problem. CO2 is an air pollution problem, it's also a water pollution problem. We cannot forget that.

We -- but returning to air pollution. We know the effects of CO2 and CH4 emissions on the

earth's atmospheric temperature regulation system are utterly disastrous. The resulting extreme weather disrupts ecological balance in all kinds of systems on a planetary scale.

The PSC needs to take a hard look at the full greenhouse gas emissions associated with NTEC. It is highly appropriate to truncate consideration of greenhouse gas emissions in this case. But the PSC should go further and correct its legal errors. It should notice and hold a new hearing; and it should address issues of cost, economics and system alternatives to NTEC.

System alternatives to NTEC on the future largely wind and solar energy grid include aggregated distributed and utility scale battery energy storage. Other utilities and commissions around the country are increasingly finding that batteries are a better near-term solution to fluctuating wind and solar energy output than building a new natural gas combined-cycle power plant.

Batteries are cheaper than increasing reliance on natural gas fueled NGCC plants. But you won't notice that, PSC, if you don't even look. Wisconsin consumers are already paying higher rates

than electric consumers in many other states because this agency did not anticipate the economic folly of investing in some of the last coal-fired power plants built in this country. And that was about 16 years ago. It's expensive for both utility ratepayers and cooperative members for the PSC to hire ostriches as energy utility regulators.

Don't make the same mistake with regard to fracked gas-fueled NGCC plants, PSC. Don't authorize Dairyland and Minnesota Power-Superior Water, Light and Power to build another fossil fuel asset which would be a stranded asset before it even is completed. Don't be fossil fuel fools again. The looming physical threat of climate change is matched by the looming economic threat of carbon taxation. And that is also a threat impacted by this plant. The enactment of a federal carbon tax could come as early as 2021.

There is a bill in the hopper in the U.S. Congress right now, it's House Resolution 763, that proposes a carbon tax. If and when such a carbon tax or some other version of a carbon tax does go into effect, the cheap natural gas on which applicants relied and justify NTEC in their own economic calculations will instantly disappear. And

NTEC will become uneconomic to run except as a super-peaking plant when grid power costs spike very high. NTEC will be run each -- less each year thereafter because the carbon taxes will ratchet upward. And therefore NTEC fixed costs will be spread over fewer and fewer kilowatt-hours of generation, consumers will groan under the economic burden of paying for another utility mistake.

But consumers will not just take it this time. They'll remember who decided not to consider climate change and the prospect of carbon taxation before NTEC was built. They'll support municipal utility takeover campaigns in Superior and Duluth. They'll defect in droves from the rural electric grid of Dairyland Power Cooperative.

I'm a solar owner. I have that option, if Dairyland goes so far as to build this plant, I'll exercise that option. And I'll have a lot of company because solar is really cheap and grid-tied rural electric cooperatives, at least cooperatives as rural as Bayfield Electric, have very high connection costs. It costs nearly $40 a month just to be connected to Bayfield Electric even if you're supplying your own electricity from your solar panels, which is pretty much the case for my

property.

That situation does not put Dairyland and its member cooperatives in a very comfortable position if this plant gets in a situation where carbon taxes are imposed and its economics are totally destroyed. That's going to put enormous pressure on the cooperatives to raise certain rates which will in turn encourage people who are in the position to own solar systems on their rural properties to defect from the co-op, which will leave those fixed costs on fewer members of the co-op which will cause the co-op to raise the rates again. It's a very dangerous, destructive cycle that can occur in that type of situation. So this is a risky thing for Dairyland to do, it's a risky thing for its member cooperatives, it's something that I would encourage them to think very long and hard about before they do it.

In addition to remembering the names of the ostrich -- remembering the names of the utilities that made bad decisions that resulted in this plant, the consumers who are affected are going to remember the names of the ostriches of the Public Service Commission who approved it as a fossil fuel plant. And they're not going to remember them in a

positive way. And they're probably going to be voting against the party that -- or the governor who appointed them, and they're probably going to be voting out the cooperative directors who approved their cooperative's participation in this project.

It basically gets down to the fact that there have been a lot of blunders made in the energy policy in recent years, and we are paying for them all. And we're getting tired of it. So my thought is why not consider making a better decision in this case. Consider the environmental factors associated with the greenhouse gas emissions, consider the risks of carbon taxation, and opt right now, not five years from now, right now to choose a renewable fuel for this plant.

This plant has some economic and engineering logic behind it. It is true that solar and wind energy are highly variable in their output and there are times when they don't produce enough to keep the lights on. Most of the time batteries will pick up that load. But there are times, like those two-week periods in November and December of some years, we don't see the sun. Maybe a week of which is also accompanied by doldrums where there isn't much wind. There are periods like that when a

system without such a facility isn't going to do the job even if we have a lot of batteries because the batteries are going to be exhausted. And so NTEC makes sense. But NTEC makes sense as a renewable fuel plant, and I'd like to talk a little bit about how we can do that.

The greater Twin Ports region has the ability to produce renewable methane by sustainable means. And biomass resources that could produce methane include surplus hay from St. Louis, Carlton, Pine, Ashland, Bayfield and Douglas Counties, all of which have a lot of grass clippings; food wastes from the Superior-Duluth Metro Area; grass clippings from town and county roads and highway maintenance in the region that would include also interstate highways in the region; biogas from dairy farm anaerobic digesters; and gas from anaerobic digesters at Superior and Duluth wastewater plants. All of these types of sources could be used to produce renewable methane.

The biogas produced by digestion of such biomass can be cleaned, upgraded and compressed to produce pipeline quality renewable natural gas. Renewable natural gas can be burned in unmodified NGCC plants. The same plant that is being proposed

in this proceeding can burn renewable methane. It doesn't have to have a fossil fuel.

In addition to producing renewable methane from biomass, the greater Twin Ports region could support renewable methane production from CO2, water, and temporary surplus wind or solar energy in something known as the power-to-gas process. CO2 sources in the region could include wastewater plants in Duluth and Superior, the Duluth District Heating Plant, the Bay Front wood burning power plant in Ashland, the paper mill in Duluth, new anaerobic digesters processing hay, grass and food waste, the Husky Oil Superior Refinery until the carbon taxes shut it down, the fossil fuel power plants in the region until carbon taxes force them to close, and even CO2 removal from the atmosphere. There are processes and devices that have been developed that do remove CO2 from the atmosphere; and we will need to use them, folks, because otherwise we're going to fry, we're going to cook, we're going to burn and we're going to drown.

Turning captured CO2 into methane using surplus power and water is a proven technology used at megawatt-scale in Europe for years. This technology solves two problems for power suppliers.

It uses temporary surplus wind and solar energy, and we're going to have a lot of that when we're mostly wind and solar energy delivered on our power grid. And it also stores the energy that's captured in a manner that we can use it later. Methane is an ideal form to do that. It is -- we can use it in our existing power plants, we can use it in our existing natural gas pipelines, in our existing natural gas storage facilities. And we can store natural gas or renewable natural gas seasonally.

If we could co-locate renewable methane production with NTEC and cross-train the plant staff, those 25 people that were discussed earlier, we could make renewable methane at that location when wind and solar energy production and battery storage permit, and we could burn renewable methane and operate the NTEC power plant when grid conditions require. And renewable methane is an ideal fuel to balance fluctuating solar and wind input against variable electric load on time scales of more than a few hours or a few days when batteries tend to be --

MALE SPEAKER: Point of order. Let's get back to the subject instead of beating around the bush.

EXAMINER NEWMARK: Off the record.

(Discussion off the record.)

EXAMINER NEWMARK: On the record, please.

MR. OLSON: Thank you, Judge Newmark. Resuming, NTEC would work fine as a facility -- as a peaking facility if it would burn renewable methane instead of natural gas. It would not require any modification. Switching fuels to renewable methane would be an advantage for all utilities involved. Renewable methane would be cheaper than carbon taxed natural gas. This switch would also be popular for its environmental advantages, and it would create local jobs, including construction jobs installing digesters, gas cleanup facilities, CO2 capture facilities, compressors, pipelines, et cetera, in addition to NTEC itself. So it would create more jobs than NTEC. And it would also create more operating jobs than NTEC.

The PSC could restore its reputation for regulatory excellence from decades past. The utilities could restore their reputation as entities that care for the community and the environment which they have occasionally enjoyed. And everyone would benefit. And, of course, CO2 and CH4 emissions would drop. So if we do this in the case

of NTEC by switching it to renewable methane right from the get-go, everyone comes out ahead. I urge the PSC to do just that. Approve NTEC conditioned on the use of a 100 percent renewable energy supply.

EXAMINER NEWMARK: Thank you, sir.

(Witness excused.)

(Recess taken from 8:05 to 8:26 p.m.)

EXAMINER NEWMARK: Nicolette Slagle.

NICOLETTE SLAGLE, PUBLIC WITNESS, DULY SWORN

DIRECT TESTIMONIAL STATEMENT

BY MS SLAGLE: Hello, my name is Nicolette Slagle. I'm a resident of Duluth, Minnesota. And I'm here to speak in opposition to this planned gas powered plant. I have a few different points that I'm going to go through tonight. The first point is, as many folks have touched on throughout the night, is that we are in a critical time for our climate and for our planet and we need to transition swiftly to non-damaging sources of fuel.

Now, this transition is going to take a complete retooling of our infrastructure and the way that we do business. And this transition, of course, all of this retooling that's going to have to happen, including investments in public transportation to reduce the number of vehicles on the roads, upgrades to our energy efficiency, upgrades to our insulation in our buildings and our homes, all of this needs jobs. So the argument that this plant is needed for jobs is a false argument.

The next point that I'd like to bring up is this question of technology. And we know that the technology of wind and solar is out there and that it's dropping in price daily and has now become

more competitive than coal and other polluting fuel sources.

The other technology that is already out there that we don't have to wait for is large battery storage. New York City actually just recently voted to move forward on a 316 megawatt battery storage plant to remove two gas-fired power plants. If this is something that can handle the loads and demands of New York City, why can't something similar be implemented in this region?

Which brings me to my next point. We're at a meeting of the Public Service Commission, so I'm asking in what sense is this project a public service? As far as I know, the need for this plant isn't dictated by homeowners' needs for charging their cellphones or heating their homes or different uses like that. It's needed because of the large industrial consumers whose loads are going to be increasing in the next few years, such as Enbridge, their pipeline system, and the Husky refining plant. So if that's really where this energy is going to, how is that something that's in the public need?

Another question that I'd like to bring up that's been brought up by the Red Cliff Band is the rights of the wetlands and the watersheds that this

plant will deeply impact. On their website, it says that this plant will use 2.9 million gallons of water per day when it's under operation. 80 percent of this water will dissipate into the environment and the rest will be fed through Superior's municipal wastewater treatment plant. This impact on the wetlands and the aquatic ecosystems in this area can have a very detrimental impact, in addition to the fact that they're moving this water from the groundwater into the air, and you know that this region is already suffering from unusually high water rainfalls.

Additionally, the Husky plant is now also planning to put their wastewater through Superior's municipal wastewater treatment facility. Now, often wastewater -- municipal wastewater treatment facilities end up taking industrial wastewater. But often these plants are not actually set up or equipped to deal with these kind of industrial loads, and there ends up being pollution coming through the end of these wastewater treatment systems that are either not regulated or not tested for, so we don't actually have a clear picture of what's coming through these facilities.

And, finally, the last thing that I'd like

to touch on and somebody touched on earlier is that there is no way that this can be considered a clean source of fuel. All you have to look at is the impacts that fracking is having on these communities and you know that this is not something that is a good future for our planet or for this region. Thank you.

EXAMINER NEWMARK: All right. Thank you.

(Witness excused.)

EXAMINER NEWMARK: All right. Our final appearance slip, Nookomis is the name I have here. Here she is.

NOOKOMIS AADOOPOWIN, PUBLIC WITNESS, DULY SWORN

DIRECT TESTIMONIAL STATEMENT

BY MS. AADOOPOWIN: Boozhoo. Nookomis. I'm from Anishinaabe Nagaiwanang. My family has been here for 12 generations. I think one of the most important things that this Minnesota Power is missing out on, missing the big picture here, is the treaty of 1854, treaty of 1826, 1837. Yeah. So maybe we should have some tribal consultation with the sovereign nation before we move forth. So that's just one of the things.

Also, the higher fee for residents. I know I'm pretty cheap. You know, I'm going around and I'm unplugging everything; and it really bothered my husband the first 30 years, but now he's getting used to it, having to plug in the microwave or the coffee pot or things like that.

So with that being said, I've read all of the paperwork that has said that regardless of all of this, like Nicolette has said, that this is coming -- stemming from getting ready for the pipeline to come through, right? And who's going to have to foot that bill is us, and all of the elders who are on social security, all of the people who are on fixed incomes, it's coming out of your

pockets, out of your mouths, you know. Because you're going to have to pay this bill or eat food, right?

So 25 permanent jobs. There was approximately 200 people in this room. In this little corner right here there were about 30, 30 people sitting down. So out of all of these 200 people in this room, only 30 of those people are going to have a permanent job while everybody else is going to be looking in the window hoping that you get to at least pay the electric bill, hm?

9.2 -- what was that, 9.2 million gallons?

MS. SLAGLE: 2.9.

MS. AADOOPOWIN: 2.9 million gallons of clean, fresh, unadulterated water that they're going to be using every single day. How much is that? 2.9 million gallons of fresh water every single day. How much do you use every single day? Do you know? You know, every time you flush the toilet, maybe -- what is that, three gallons or maybe is it a gallon and a half? You know, so what do we use, maybe 20 gallons a day? I don't know. I don't. Does that sound about right?

So 2.9 million gallons of fresh, clean water they're going to be using, taking out of your

children, out of your mouths, right? Because as we know, as we've read, Ashland is already since, what, 2012 already putting their raw sewage into the lake after any rainstorm, as does Duluth. I haven't read anything specifically saying Superior, but how many others do, right, that put in -- their raw sewage into Lake Superior already. So that's already poisoned water that we can't use.

And, again, 2.9 million gallons of water a day that they're going to be poisoning. Which leads up to the next question is how many gallons of water is in Lake Superior? Do we know that answer, Nicolette? A whole bunch. More than 2.9 million? How long can this withhold us, 2.9 million, how many -- do we know that question? Is there anybody in here that can kind of whip out their phone and do some math quick fast and in a hurry? No? Okay. Anyways, I'll move along, sorry.

So what happens when they no longer need this plant or this building or whatever, who's going to be responsible for cleaning it up? And who's going to be responsible for cleaning up that water? Is this a question -- I mean, I don't get an answer to these questions?

EXAMINER NEWMARK: Let's go off the

record.

(Discussion off the record.)

EXAMINER NEWMARK: We can get back on.

MS. AADOOPOWIN: And how much does a permit cost? Do we know that answer? Do we have any answers to that? Do we have variances? Remember there's variances to poisoning our water. Who even knew that there was such a thing?

So I think that's kind of what I came to say is no means no. You know, when a woman says it, you're supposed to stop. So my mother, the earth, is saying no. So stop. Miigwech.

EXAMINER NEWMARK: Thank you, ma'am.

(Witness excused.)

RENE ANN GOODRICH, PUBLIC WITNESS, DULY SWORN

DIRECT TESTIMONIAL STATEMENT

BY MS. GOODRICH: Hi. Boozhoo. (A statement was expressed in native language). My name is Rene Ann Goodrich, R-E-N-E, A-N-N, Goodrich. I'm a tribal member of the Bad River Band of Chippewa Lake Superior Ojibwa. I'm a grandmother and educator, an advocate and a citizen of -- I live right here in Superior.

So it's great to see all of you. You're all my neighbors. A property owner, I'm on the north side. I have a small business there. It's a restored historical home. So I understand the high cost and the energy that's involved and how expensive it is. So I got that. I wanted to say thank you so much for this opportunity to share some of my immediate concerns and also to say thank you for helping me learn the process and for the inclusion, and the inclusion piece is huge.

I was able to learn a lot from our city council that was here. They shared their support. I got that. Also with our local union, I understand their support and where they're coming from because Superior does need jobs, we need jobs here.

Better -- my observation, I would like to

add is that money better spent, we want those jobs, we want our local union guys, we want them working, we want the employment so that we're able to raise our families. But let's not cut our employees and our workers short and our communities short. Let's invest in them. With this exorbitant amount of moneys that we have here that's going to be invested into this project, let's invest into our workforce and provide them with this awesome training that they could possibly obtain, something that they could put underneath their belt per se and help to move them forward into a greener economy and provide them with the training in solar. We did listen to some consultants that said that they could offer training to our local community members and our local unions, so that would be money better spent.

My concern, another concern I had was the Environmental Impact Statement and the process there is if tribal members were involved, if they were notified and if they were able to have input of their concerns regarding the environmental impact that this project would bring. This particular area is an 1854 treaty. There's three tribal -- federally recognized tribal members in Minnesota, and there's multiple tribal tribes here in

Wisconsin. And after I asked, there was only three, maybe two or three that were notified. And I'm not sure -- I wanted to ask if you would please reconsider that and have that put into the notes that the vested tribal members that have a vested interest in this project, whether they live a mile away or two miles away, as a tribal member, and this is ceded territory of 1854, that all of those tribal members of all of those multiple tribes in Minnesota and Wisconsin have a vested interest.

So I wanted to ask that be included in the notes is that they were not notified. So I have some concern about that, is that individual tribes were not notified and they were not able to contribute to the impact statement.

Also asking for the -- please reconsider about the two Wisconsin Statutes that were quoted earlier with the idea that was shared about the possible use of renewable energy to help with this project. That was a great idea. Thank you so much for sharing that.

And then thirdly would be how feasible is this project for local communities, members, job seekers, property owners, families raising their children, many of us sitting in here that are left

sitting in this room, I mean how feasible is this for us? And what is our long-term consequences to our water? We have grave consequences that can occur with this type of fracking being so close to Lake Superior, and there is a reason why we don't have fracking in this area. So I wanted to put that out there, to please consider the economical feasibility of these new carbon taxes, how feasible is that? And our investments being abandoned in the very short future. We're not investing, then we're left with the burden. And who is going to pay for that? Taxpayers are going to pay for that. Mothers are going to pay for that, fathers, grandmothers, homeowners, we're the ones that are going to be left with this burden. And what future are we building for our grandchildren if we are left with the burden of our water being polluted?

I mean, so really I'm asking to please consider these important facts and consider why weren't tribal members that have a vested interest in this project, why were they not contacted and included in the Environmental Impact Statement. And I want to say thank you, thank you to my neighbors and thank the relatives here in Superior. Miigwech.

EXAMINER NEWMARK: Thank you, ma'am.

(Witness excused.)

EXAMINER NEWMARK: All right. Anybody else? No? All right. Well, hearing that, thanks, everybody, for participating, for your thoughtful comments and intelligent comments. Thank you for listening most of all. I think we learned a lot and we were able to share a lot of different views in true Wisconsin fashion. So I appreciate it very much.

So we will be back at 10 a.m. for the party session, the public is welcome to observe that, and then 2 p.m. again for more public comments. Take care.

(The hearing concluded at 8:49 p.m.)

STATE OF WISCONSIN)
MILWAUKEE COUNTY)

I, LYNN M. BAYER, RPR, CM, Registered Professional Reporter, Certificate of Merit, with the firm of Halma Reporting Group, Inc., 207 East Michigan Street, Milwaukee, Wisconsin, do hereby certify that I reported the foregoing proceedings had on October 28, 2019, and that the same is true and correct in accordance with my original machine shorthand notes taken at said time and place.

Lynn M Bayer

LYNN M BAYER NOTARY PUBLIC STATE OF WISCONSIN

Lynn M. Bayer
Registered Professional Reporter
Certificate of Merit

Dated this 31st day of October, 2019.
Milwaukee, Wisconsin.

I N D E X

*****

NUMBER	DESCRIPTION	PAGE MKD/RECV'D

(No exhibits were marked/received.)